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SENATE BILL 541

**47TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2005**

INTRODUCED BY

Stuart Ingle

AN ACT

RELATING TO HEALTH CARE FACILITIES; ALLOWING THE GOVERNING BOARD OF A SPECIAL HOSPITAL DISTRICT TO ENTER INTO AN AGREEMENT TO OWN OR OPERATE A COMMON HEALTH CARE SERVICE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 4-48A-9 NMSA 1978 (being Laws 1978, Chapter 29, Section 9, as amended) is amended to read:

"4-48A-9. BOARD OF TRUSTEES--POWERS.--The board of trustees may:

A. acquire, construct, operate or maintain one or more hospital facilities in the special hospital district for the purposes for which the special hospital district was created;

B. receive and expend all funds accruing to the special hospital district pursuant to any provision of the

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1 Special Hospital District Act through the sale of bonds or the  
2 levy of taxes, paid from any source on account of patients  
3 accommodated at the hospital, from any gift or bequest or from  
4 any federal, state or private grant;

5 C. enter into contracts, including contracts with  
6 the federal government and the departments and agencies thereof  
7 or the state government and the departments, institutions and  
8 agencies thereof, for the treatment of or the hospitalization  
9 of patients under the jurisdiction of such entities;

10 D. adopt and use a seal to authenticate its  
11 official transactions;

12 E. sue and be sued;

13 F. adopt rules and regulations for the governing of  
14 the special hospital district;

15 G. employ and fix the compensation of an executive  
16 director of the special hospital district and such other staff  
17 and clerical personnel it deems necessary;

18 H. employ a hospital administrator for hospital  
19 facilities under its control and approve or disapprove the  
20 recommendations of such administrator pertaining to  
21 compensation and employment benefits for hospital employees;

22 I. fix the mileage reimbursement rate for travel on  
23 official business in a privately owned vehicle by employees of  
24 hospital facilities under its control, provided that the rate  
25 shall not exceed the internal revenue service standard mileage

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1 rate for use of a vehicle for business;

2 J. exercise all powers necessary and requisite for  
3 the accomplishment of the purposes for which the special  
4 hospital district is created;

5 K. issue bonds in the manner provided by law for  
6 the issuance of special hospital district revenue bonds for the  
7 construction, purchase, renovation, remodeling, equipping or  
8 re-equipping of hospital facilities under its control and  
9 purchasing the necessary land therefor;

10 L. charge for hospital services rendered;

11 M. lease a hospital to any person, corporation or  
12 association for the operation and maintenance of the hospital  
13 upon such terms and conditions as the board of trustees may  
14 determine, provided that the lease may be terminated by the  
15 board of trustees without cause upon one hundred eighty days'  
16 notice after the first three years of the lease;

17 N. enter into an agreement with another county or  
18 counties, another county or counties and another political  
19 subdivision or any other person, corporation or association  
20 that provides that the parties to the agreement shall join  
21 together for the purpose of making some or all purchases  
22 necessary for the operation of hospitals owned or operated by  
23 the parties; and to designate one of the parties as the central  
24 purchasing office, as defined in the Procurement Code, for the  
25 others, to make purchases for the parties to the agreement as

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1 they shall deem necessary and to comply with the provisions of  
2 the Procurement Code; ~~and~~

3 O. expend public money to recruit health care  
4 personnel to serve the sick of the special hospital district;  
5 and

6 P. enter into an agreement with a state or federal  
7 agency, county, municipality, other political subdivision or  
8 person for the formation of a legal entity to jointly own or  
9 operate a common health care service, subject to the provisions  
10 of or exemptions from the Procurement Code."

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